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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,637	04/02/2004	Paul Lapstun	HYC004US	9558
24011 7590 01/24/2008 SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			EXAMINER COLBERT, ELLA	
			ART UNIT 3694	PAPER NUMBER
			MAIL DATE 01/24/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/815,637

Applicant(s)

LAPSTUN ET AL.

Examiner

Ella Colbert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) 35 and 36 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 11/07/07.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-36 are pending. Group I, Claims 1-34 have been elected and claims 35 and 36 were withdrawn without traverse in response to the Election/Restriction filed 11/11/07.
2. The IDS filed 11/07/07 has been considered and entered.

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by (US 5,699,528) Hogan..

1. Hogan discloses, A method of enabling anonymous communication between a user and an application, via interaction of a sensing device with coded data disposed on a surface to generate interaction data, the method including the steps, performed in a computer system, of: identifying a first telecommunication address of the user from either an identity of the sensing device received or determined in the computer system of the interaction data (col. 2, lines 48-53); associating a temporary telecommunication address with the first telecommunication address (col. 3, line 51-col. 4, line 44); sending the temporary telecommunication address and interaction data to an application (col. 5, lines 16-43); receiving information from the application addressed to said temporary telecommunication address (col. 5, lines 44-61); and forwarding the information from the application to the first telecommunication address (col. 5, line 62-col. 6, line 30).

Claim 18 is rejected for the similar rationale as given above for claim 1.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,699,528) Hogan in view of (US 6,330,976) Dymetman et al, hereafter Dymetman.

Claims 2 and 19. Hogan failed to disclose, wherein the step of identifying the first telecommunication address includes determining an identity of the sensing device, and identifying the first telecommunication address from the identity. Dymetman discloses, wherein the step of identifying the first telecommunication address includes determining an identity of the sensing device, and identifying the first telecommunication address from the identity (col. 10, line 49-col. 11, line 43).

Claims 3 and 20. Hogan and Dymetman failed to disclose, The method of claim 1, wherein the interaction data includes a digital signature of the user and the step of identifying the first telecommunication address includes identifying the first telecommunication address recorded for a registered user identified by the digital signature. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include a digital signature because this would acknowledge that the person agreed with the terms of the document contents.

Claims 4 and 21. Hogan failed to disclose, wherein the computer system includes a first server, and the step of associating is performed at the first server. Dymetman

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discloses, wherein the computer system includes a first server, and the step of associating is performed at the first server (col. 6, lines 55-65).

Claims 5 and 22. Hogan failed to disclose, wherein the first server is a registration server. Dymetman discloses, first server is a registration server (col. 6, lines 55-65).

However, Dymetman did not expressly disclose the first server is a registration server.

Since Dymetman discloses a server and a network, the first server can be a registration server.

Claims 6 and 23. Hogan failed to disclose, wherein the step of sending the temporary telecommunication address is performed by the first server. Dymetman discloses, wherein the step of sending the temporary telecommunication address is performed by the first server (col. 16, lines 31-46).

Claims 7 and 24. Hogan failed to disclose, wherein the step of associating is performed by encrypting the first telecommunication address of the user to form the temporary telecommunication address. Dymetman discloses, wherein the step of associating is performed by encrypting the first telecommunication address of the user to form the temporary telecommunication address (col. 16, lines 47-50).

Claims 8 and 25. Hogan and Dymetman failed to disclose, wherein the first telecommunication address of the user is derived from the temporary telecommunication address upon receipt of the first information from the applications server by decrypting the temporary telecommunication address to which the first information was sent. It would have been obvious to one having ordinary skill in the art at the time the invention was made to encrypt and decrypt information when information

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is sent over a telecommunications network for security and privacy of the information.

Claims 9 and 26. Hogan failed to disclose, wherein the temporary telecommunication address is provided with a unique identifier. Dymetman disclosed, wherein the temporary telecommunication address is provided with a unique identifier (col. 18, lines 1-29).

Claims 10 and 27. Hogan failed to disclose, including the step, performed by the first server, of checking the unique identifier to determine whether the first server can forward the information from the application to the first telecommunication address of the user. Dymetman disclosed, including the step, performed by the first server, of checking the unique identifier to determine whether the first server can forward the information from the application to the first telecommunication address of the user (col. 18, lines 30-55).

Claims 11 and 28. Hogan failed to disclose, wherein the association of the temporary telecommunication address with the first telecommunication address of the user is valid for a limited number of steps of said server forwarding the information from the application to the first telecommunication address of the user. Dymetman disclosed, wherein the association of the temporary telecommunication address with the first telecommunication address of the user is valid for a limited number of steps of said server forwarding the information from the application to the first telecommunication address of the user (col. 17, lines 3-51).

Claims 12, 13, 29, and 30. Hogan failed to disclose, wherein the first telecommunication address of the user is selected from one of an email address, a web address, a

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facsimile number, a telephone number, a pager, a mobile phone number, or a Personal Digital Assistant (PDA) address. Dymetman disclosed, , wherein the first telecommunication address of the user is selected from one of an email address, a web address, a facsimile number, a telephone number, a pager, a mobile phone number, or a Personal Digital Assistant (PDA) address (col. 2, lines 55-65).

Claims 14 and 31. Hogan and Dymetman failed to disclose, wherein the temporary telecommunication address has the same form as the telecommunication address of the user. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the same form as the telecommunication address for easier transmission and for security.

Claims 15 and 32. Hogan failed to disclose, wherein at least some of the coded data includes an identifier. Dymetman disclosed, wherein at least some of the coded data includes an identifier (col. 1, lines 44-67).

Claims 16, 17, 33, and 34. Hogan and Dymetman failed to disclose, wherein the identifier is a unique product item identifier and wherein the unique product item identifier is an electronic product code. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a unique identifier for a product and a unique product item identifier as and electronic product code to be able to know which identifier is for which product and for security purposes.

### **Inquiries**


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Monday, Wednesday, and Thursday, 5:30AM-3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 22, 2008

  
ELLA COLBERT  
PRIMARY EXAMINER